

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, APRIL 12, 2004**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, April 12, 2004, with President Boyd presiding.

Councillor Brown led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President Boyd instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*1 ABSENT: Langsford*

A quorum of twenty-eight members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Pfisterer recognized write-in candidate for Wayne Township school board Diane Arnold, the executive director of the Hawthorne Community Center. She also recognized Olgen Williams, Christamore House, and her husband Fire Chief Clyde Pfisterer, who is celebrating 45 years of service with the Indianapolis Fire Department this week. Councillor Talley recognized participants in the job training program at Charity Christian Development Center. Councillors Franklin and Salisbury introduced Boy Scout Troop 147 from Ben Davis Christian Church. Councillor Gibson recognized State Representative Greg Porter. Councillor Randolph recognized a very worthy opponent in the district race for Councillor, Ricky Hence, and his family. Councillor Gray recognized community and political activists Vernetta Tanner and Victoria Scott, and former Councillor Karen Horseman. Councillor Bradford thanked the Purdue Cooperative Extension Service for hosting a reception earlier this evening for Councillors. President Boyd

recognized Congresswoman Julia Carson. Councillor Abdullah recognized Mike Rodman, Democrat candidate for Treasurer. Councillor Brown recognized Devon Craig and Charlie Staples of Warren Township. He invited everyone to join in the Warren Pride Day, an annual clean-up project, this Saturday, April 17<sup>th</sup>, beginning at 8:00 at Eastridge School, located at German Church Road and 10<sup>th</sup> Street. President Boyd recognized Pike Township Assessor Barbara Hurst. Councillor Gray recognized Mrs. Katherine Arnett. Councillor Plowman introduced Vince Huber, president of the Fraternal Order of Police. Councillor Gibson recognized Kay Harris, Indianapolis Children's Museum. Councillor Talley recognized Kathy Barton. Councillor Oliver introduced Mrs. Yvonne Webb and her two children.

President Boyd thanked all citizens for coming this evening and said that it is important for Councillors to recognize those who have an interest in seeing government in action.

## **OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 12, 2004, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Rozelle Boyd  
President, City-County Council

March 16, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, March 19, 2004, a copy of a Notice of Public Hearing on Proposal Nos. 154, 157, 159, 161, and 163-168, 2004, said hearing to be held on Monday, April 12, 2004, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Jean Ann Milharcic  
Clerk of the City-County Council

March 26, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 34, 2004 - approves a transfer of \$19,198 in the 2004 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to transfer Character 01 dollars to Characters 02, 03, and 04 to reduce initial budgeted Character 01 amount and reappropriate money for equipment and contractual services

FISCAL ORDINANCE NO. 35, 2004 - approves a transfer of \$59,853 in the 2004 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to transfer Character 01 dollars to Character 03 which were originally loaded in the wrong character (Metro Drug Task Force Grant, 2003-2004)

*April 12, 2004*

SPECIAL ORDINANCE NO. 3, 2004 - a final resolution for Nora Pines Apartments in an amount not to exceed \$950,000 which consists of the acquisition, rehabilitation, renovation, construction and equipping of an existing apartment complex with a total of 254 units located at 8921 Compton Street (District 3)

SPECIAL RESOLUTION NO. 7, 2004 - recognizes the 18 years of dedicated service by Suellen Hart, retired Clerk of the Council

SPECIAL RESOLUTION NO. 8, 2004 - congratulates Don Steffy of the Pike Performing Arts Center

SPECIAL RESOLUTION NO. 9, 2004 - recognizes the 35 years of public service of Jane Wade of the Marion Superior Court, Juvenile Division

Respectfully,  
s/Bart Peterson, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of March 15, 2004. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 226, 2004. The proposal, sponsored by Councillors Talley, Oliver, Conley, Nytes, and Sanders, recognizes Cordelia M. Lewis Burks, Indiana's Director of Politics and Legislation for AFSCME. Councillor Talley read the proposal and presented representatives with copies of the document and Council pins. Ms. Burks thanked the Council and said that she should not be recognized for something she really loves to do. She encouraged all people to use their right to vote. Councillors Sanders, Conley, Nytes, Oliver, Boyd, and Gibson all expressed their appreciation to Ms. Burks and relayed the impact she has had on their lives. Ms. Tanner, State Representative Porter, and Congresswoman Carson thanked Ms. Burks for all she has done for the community and for them personally. Councillor Talley moved, seconded by Councillor Sanders, for adoption. Proposal No. 226, 2004 was adopted by a unanimous voice vote.

Proposal No. 226, 2004 was retitled SPECIAL RESOLUTION NO. 10, 2004, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 10, 2004**

A SPECIAL RESOLUTION recognizing Mrs. Cordelia M. Lewis Burks, Indiana's Director of Politics and Legislation for The American Federation of State, County, and Municipal Employees.

WHEREAS, Mrs. Cordelia M. Lewis Burks is the daughter of a minister and a mother who was active in the community, school and church in the coal mining area of Eastern Kentucky; and

WHEREAS, Mrs. Lewis Burks' accomplishments and awards are numerous in recognition of her work with organizations such as the United Way, State Task Force for Developmental Disabilities, National Association for the Advancement of Colored People, National Council of Negro Women, League of Women Voters, Urban League, Citizens Action Coalition, United Negro College Fund and Operation Big Vote; and

WHEREAS, I pray this proud but humble servant of GOD, who has given generously of her time and talents over past years will continue the rich and rewarding tradition of her many purposeful humane acts of corporate as well as one-on-one charity and kindness; and

WHEREAS, Indianapolis is a proud city of achievement, and is a city that has been the beneficiary of the many gifts and talents of Mrs. Cordelia M. Lewis Burks; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Mrs. Cordelia M. Lewis Burks for her lifetime of achievements, especially for union workers, the poor, and for people of color.

SECTION 2. The Indianapolis City-County Council wishes Mrs. Lewis Burks, her husband Jesse, and their children and grandchildren the very best for the future.

SECTION 3. As we enter the fifth year of the new millennium, I pray that we always remember the teachings of Mrs. Cordelia M. Lewis Burks, that we are blessed, and do hereby resolve to begin immediately seeking and accepting the new challenges and opportunities for future generations.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 108, 2004. Councillor Gibson reported that the Municipal Corporations Committee heard Proposal No. 108, 2004 on March 1 and April 5, 2004. The proposal, sponsored by Councillor Gibson, reappoints Dr. Henry C. Bock to the Health and Hospital Board of Trustees. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gibson moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 108, 2004 was adopted by a unanimous voice vote.

Proposal No. 108, 2004 was retitled COUNCIL RESOLUTION NO. 48, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 2004

A COUNCIL RESOLUTION reappointing Dr. Henry C. Bock to the Health and Hospital Board of Trustees.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Health and Hospital Board of Trustees, the Council reappoints:

Dr. Henry C. Bock

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 117, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 117, 2004 on February 11 and March 24, 2004. The proposal, sponsored by Councillor Moriarty Adams, appoints Kim Robinson to the Board of Public Safety. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 117, 2004 was adopted by a unanimous voice vote.

Proposal No. 117, 2004 was retitled COUNCIL RESOLUTION NO. 47, 2004, and reads as follows:

*April 12, 2004*

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 2004

A COUNCIL RESOLUTION appointing Kim Robinson to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Safety, the Council appoints:

Kim Robinson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 198, 2004. Introduced by Councillors Talley, Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$662,549 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund), to purchase security equipment to enhance physical security at the City-County Building, financed by a federal grant from the Office of Domestic Preparedness-Department of Homeland Security"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 199, 2004. Introduced by Councillors Talley, Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$45,077 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund), to acquire Pictometry technology, which provides high resolution, digital aerial photographs, as well as to fund promotional items for the Community Emergency Response Team (CERT), financed by a pass-through grant from the Federal Emergency Management Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 200, 2004. Introduced by Councillors Talley, Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,182,278 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund), to purchase equipment to enhance communication, health care and law enforcement protection, and intelligence in order to improve overall terrorism response capability of Marion County, financed by a federal grant from the Office of Domestic Preparedness-Department of Homeland Security"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 201, 2004. Introduced by Councillors Talley, Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which approves an increase of \$2,313 in the 2004 Budget of the Department of Public Safety, Fire Division (Fire General Fund), to continue the SAFE KIDS BUCKLE UP Child Safety Seat Inspection Station (CSSIS) program at Fire Station #31, which provides suitable car seats and education on their use to citizens, financed by private donations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 202, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$137,609 in the 2004 Budget of Marion County Community Corrections (Home Detention User Fee Fund) to

fund a variety of projects pertaining to the improvement of inmate living areas in the Community Corrections Centers to home detention equipment and funding for two (2) additional screeners for the Adult Processing Center"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 203, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$14,548 in the 2004 Budget of Marion County Community Corrections (State and Federal Grants Fund) to appropriate carryover funds from 2003 to 2004 from a grant funded by the Department of Corrections to assist with the Community Transition Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 204, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$92,712 in the 2004 Budget of Marion County Community Corrections (State and Federal Grants Fund) to fund a substance abuse treatment program, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 205, 2004. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$50,000 in the 2004 Budget of Marion County Community Corrections (State and Federal Grants Fund) to fund a position at the Marion County Community Court, funded by a grant from the Indiana Department of Correction"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 206, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$32,500 in the 2004 Budgets of the Marion County Prosecutor and Auditor (State and Federal Grants Fund) to pay IPD's portion of overtime for probation sweeps, debriefing defendants, and intelligence gathering for gun trafficking"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 207, 2004. Introduced by Councillors Nytes and Keller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the zoning ordinance to allow the Indianapolis Historic Preservation Commission to set height standards in D-8 zones within historic districts"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 208, 2004. Introduced by Councillors Talley, Nytes, Pfisterer, Randolph, McWhirter, Gray and Bowes. The Clerk read the proposal entitled: "A Proposal for a General Resolution which designates the Lafayette Square Area as a community revitalization enhancement district (CRED)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 209, 2004. Introduced by Councillors Talley, Sanders, Gray and Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Steven Badger to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 210, 2004. Introduced by Councillors Sanders, Gray, Gibson, Conley and Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which

reappoints Tommie Jones to the Indianapolis Public Transportation Corporation"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 211, 2004. Introduced by Councillors Sanders, Gray, Conley and Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Emily Nichols to the Board of Parks and Recreation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 212, 2004. Introduced by Councillors Sanders, Gray and Boyd. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Daniel F. Lynch to the Cable Franchise Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 213, 2004. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a multi-way stop at the intersection of Delaware Street and Hill Valley Drive (District 23)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 214, 2004. Introduced by Councillors Talley and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in intersection controls within the Brendonway subdivision (District 11)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 215, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Southern Ridge subdivision (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 216, 2004. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Bayberry Villages (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 217, 2004. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Harness Lakes at Wellingshire (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 218, 2004. Introduced by Councillors Conley and Brown. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Orchard Valley Farms (District 18)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 219, 2004. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Sonesta (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 220, 2004. Introduced by Councillors Cockrum and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Buck Creek Villages (District 22)"; and the President referred it to the Public Works Committee.



PROPOSAL NO. 221, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Woodland Trace (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 222, 2004. Introduced by Councillors Plowman and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Franklin Gardens (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 223, 2004. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for Bel Moore (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 224, 2004. Introduced by Councillors Mahern and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on White River Parkway E. Drive from West Street to Morris Street (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 225, 2004. Introduced by Councillor Abduallah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a permanent parking restriction change for the Downtown Federal Buildings (District 15)"; and the President referred it to the Public Works Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 227, 2004, PROPOSAL NOS. 228-230, 2004, and PROPOSAL NO. 231, 2004. Introduced by Councillor Talley. Proposal No. 227, 2004, Proposal Nos. 228-230, 2004, and Proposal No. 231, 2004 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on March 19 and April 6, 2004. The President called for any motions for public hearings on any of those zoning maps changes.

Councillor Talley moved, seconded by Councillor Moriarty Adams, to withdraw Proposal No. 230, 2004. Councillor Talley said that he has received a letter from the developer of the project who has decided to withdraw the project, and therefore the rezoning petition. Proposal No. 230, 2004 was withdrawn by a unanimous voice vote.

There being no further motions for public hearings, Proposal No. 227, 2004, Proposal Nos. 228 and 229, 2004, and Proposal No. 231, 2004, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 47-50, 2004, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 47, 2004.

2003-ZON-164 (2003-DP-024)

2825 NORTH GERMAN CHURCH ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 18

DURA BUILDERS, INCORPORATED, by Thomas Michael Quinn, request a rezoning of 32 acres, being in the D-A District, to the D-P classification to provide for 5.02 acres of neighborhood commercial development and 27 acres of multi-family residential development at a density of four units per acre.

REZONING ORDINANCE NO. 48, 2004.

2003-ZON-186

11801 EAST 38<sup>TH</sup> STREET (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #18

SOMMERSET DEVELOPMENT COMPANY, by James W. Beatty, requests a rezoning of 36.17 acres, being in the C-3 (FF) (FW) and D-6II (FF) (FW) Districts, to the D-4 (FF) (FW) classification to provide for single-family residential development.

REZONING ORDINANCE NO. 49, 2004.

2003-ZON-187 (Amended)

4040 and 4042 WEST 71<sup>ST</sup> STREET (approximate addresses), INDIANAPOLIS.

PIKE TOWNSHIP, COUNCILMANIC DISTRICT #1

TIM CHRISTENSEN requests a rezoning of 3.139 acres, being in the I-1-S District, to the C-S classification to provide for C-1 and I-1-S uses including an expansion of existing construction contractor offices and warehouses.

REZONING ORDINANCE NO. 50, 2004.

2003-ZON-180

11905 PENDLETON PIKE (approximate address), CITY OF LAWRENCE.

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #12

PENDLETON PIKE PROPERTIES, LLC, WATSON'S INDIANAPOLIS PROPERTIES NUMBER ONE, AND WATSON'S PROPERTIES NUMBER TWO, by Thomas Michael Quinn, requests a rezoning of 0.342 acre, being in the C-3 District, to the C-5 classification to provide for a parking lot expansion and an expansion to an existing indoor and outdoor display area for patio accessories, swimming pools, hot tubs, billiard supplies and tanning beds.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 134, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 134, 2004 on March 18, 2004. The proposal, sponsored by Councillors Conley and Keller, approves an increase of \$375,000 in the 2004 Budget of the Department of Public Works, Engineering Division (Non-Lapsing State of Indiana Grants Fund), to make improvements to an existing sewer lift station and the roadway along the Hague Road Corridor for Roche Diagnostics, financed by a grant from the Indiana Department of Commerce. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 7:53 p.m.

Reverend Pamela M. Pinkney, citizen, stated that this proposal may create 150 jobs, but asked with no public transportation, how are workers supposed to get to these jobs. Councillor Conley said that this financing has nothing to do with public transportation.

There being no further testimony, Councillor Conley moved, seconded by Councillor Keller, for adoption. Proposal No. 134, 2004 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

*0 NAYS:*

*1 NOT VOTING: Franklin*

*1 ABSENT: Langsford*

Proposal No. 134, 2004 was retitled FISCAL ORDINANCE NO. 36, 2004, and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 36, 2004**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Three Hundred and Seventy Five Thousand Dollars (\$375,000) in the Non-Lapsing State of Indiana Grants Fund for purposes of the Department of Public

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Works, Engineering Division, and reducing the unappropriated and unencumbered balance in the State of Indiana Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Engineering Division, to make improvements to an existing sewer lift station and the roadway along the Hague Road Corridor for Roche Diagnostics, financed by a grant from the Indiana Department of Commerce.

SECTION 2. The sum of Three Hundred and Seventy Five Thousand Dollars (\$375,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS	
<u>ENGINEERING DIVISION</u>	<u>NON-LAPSING STATE OF INDIANA GRANTS FUND</u>
4. Capital Outlay	<u>375,000</u>
TOTAL INCREASE	375,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>NON-LAPSING STATE OF INDIANA GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing State of Indiana Grants Fund	<u>375,000</u>
TOTAL REDUCTION	375,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 135, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 135, 2004 on March 18, 2004. The proposal, sponsored by Councillors Conley and Keller, approves an increase of \$401,500 in the 2004 Budget of the Department of Public Works, Operations Division (Solid Waste Collection Fund), to continue the program of placing 96-gallon trash receptacles in neighborhoods to enhance cleanliness, safety of neighborhoods and to discourage illegal dumping, financed by fund balance. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 7:59 p.m.

Rev. Pinkney stated that this does not help with the enforcement of illegal dumping. Councillor Conley said that the City has to ask citizens to help report illegal activity because they cannot be everywhere at once.

Councillor Bradford asked if Broad Ripple would qualify for this program, and if they should contact the Mayor's Action Center. Councillor Conley replied in the affirmative.

There being no further testimony, Councillor Conley moved, seconded by Councillor Keller, for adoption. Proposal No. 135, 2004 was adopted on the following roll call vote; viz:

28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 ABSENT: Langsford

Proposal No. 135, 2004 was retitled SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1 2004, and reads as follows:

CITY-COUNTY SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT NO. 1, 2004

A SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (Solid Waste Collection Special Service District Fiscal Ordinance No. 2, 2003) appropriating an additional Four Hundred and one Thousand Five Hundred Dollars (\$401,500) in the Solid Waste Collection Fund for purposes of the Department of Public Works, Operations Division, and reducing the unappropriated and unencumbered balance in the Solid Waste Collection Fund.

BE IT ORDAINED BY THE SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Solid Waste Collection Special Service District Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Operations Division, to continue the program of placing 96-gallon trash receptacles in neighborhoods to enhance cleanliness, safety of neighborhoods and to discourage illegal dumping, financed by fund balance.

SECTION 2. The sum of additional Four Hundred and one Thousand Five Hundred Dollars (\$401,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS

OPERATIONS DIVISION

SOLID WASTE COLLECTION FUND

4. Capital Outlay	<u>401,500</u>
TOTAL INCREASE	401,500

SECTION 4. The said additional appropriation is funded by the following reductions:

SOLID WASTE COLLECTION FUND

Unappropriated and Unencumbered	
Solid Waste Collection Fund	<u>401,500</u>
TOTAL REDUCTION	401,500

SECTION 5. The projected December 31, 2004, fund balance for the Solid Waste Collection Fund is as follows:

Est. Cash balance as of January 31, 2004	13,588,796
Estimated revenues 2004	<u>25,657,457</u>
Projected funds available	39,246,253
2004 appropriations	30,005,245
2004 carryover appropriations	1,638,356
Proposed additional appropriation (Proposal No. 135, 2004)	<u>401,500</u>
Total Requirements	31,089,335
<b>Projected fund balance December 31, 2004</b>	<b>7,201,152</b>

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

April 12, 2004

PROPOSAL NO. 154, 2004. Councillor Sanders reported that the Community Affairs Committee heard Proposal No. 154, 2004 on April 6, 2004. The proposal, sponsored by Councillor Sanders, approves an increase of \$105,000 in the 2004 Budget of the Marion County Cooperative Extension (County Grants Fund) for purposes of funding the Youth Program Assistant position through 2006, funded by Marion County 4-H Clubs, Inc. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:02 p.m.

Rev. Pinkney said that she submitted questions to the Committee and still has not received answers. Councillor Sanders said that these questions were passed along to the agency and they are working on responses for Rev. Pinkney.

There being no further testimony, Councillor Sanders moved, seconded by Councillor Gibson, for adoption. Proposal No. 154, 2004 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley*

*0 NAYS:*

*1 NOT VOTING: Randolph*

*1 ABSENT: Langsford*

Proposal No. 154, 2004 was retitled FISCAL ORDINANCE NO. 37, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 116, 2003) appropriating an additional One Hundred Five Thousand Dollars (\$105,000) in the County Grants Fund for purposes of the Marion County Cooperative Extension and reducing the unappropriated and unencumbered balance in the County Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (m) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of funding the Youth Program Assistant position through 2006.

SECTION 2. The sum of One Hundred Five Thousand Dollars (\$105,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY COOPERATIVE EXTENSION</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	81,000
Fringes	<u>24,000</u>
TOTAL INCREASE	105,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GRANTS FUND</u>
Unappropriated and Unencumbered	
County Grants Fund	<u>105,000</u>
TOTAL REDUCTION	105,000

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 157, 159, 161, and 163-168, 2004 on March 24, 2004. She asked for consent to vote on these proposals together. Councillor Talley asked that Proposal Nos. 159 and 167, 2004 be voted on separately. Councillor Schneider asked that Proposal No. 164, 2004 be voted on separately. Consent was given to vote on Proposal Nos. 157, 161, 163, 165, 166, and 168, 2004 together.

PROPOSAL NO. 157, 2004. The proposal, sponsored by Councillors Moriarty Adams, Talley, and McWhirter, approves an increase of \$1,072,187 in the 2004 Budget of the Department of Public Safety, Police Division (Federal Grants and Non-Lapsing Federal Grants Funds) to continue domestic violence, weed and seed, and Police Athletic League (PAL) programs, as well as fund overtime projects within the Project Safe Neighborhood, New Approach Anti-Drug Initiative, Creating Cultures of Integrity, and Project ACE from the Indiana Department of Health, financed by federal grants. PROPOSAL NO. 161, 2004. The proposal, sponsored by Councillor McWhirter, approves an increase of \$10,189 in the 2004 budget of the Marion Superior Court, Juvenile Division (Guardian Ad Litem Fund), to cover payment for 2004. PROPOSAL NO. 163, 2004. The proposal, sponsored by Councillor McWhirter, approves an increase of \$44,000 in the 2004 budget of the Marion Superior Court, Juvenile Division (Juvenile Probation Fund) to fund intensive probation programs. PROPOSAL NO. 165, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$107,600 in the 2004 budget of the Marion Superior Court (Alternative Dispute Resolution Fund) to set up a budget for the new fund established by State Legislature to provide modest means mediation for domestic relations cases (Actual expense from this fund will be limited to available fund balance.). PROPOSAL NO. 166, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$136,610 in the 2004 budget of the Marion Superior Court (Adult Probation Fund) to purchase ergonomically correct furniture for Probation Officer and expansion of the Community Service Worker Program. PROPOSAL NO. 168, 2004. The proposal, sponsored by Councillor McWhirter, approves an increase of \$149,379 in the 2004 Budget of Marion County Prosecutor (State and Federal Grants Fund) to employ a Domestic Violence prosecutor to specialize in stalking, enhance evidence collection, and implement vertical prosecution, funded by a grant from Grants to Encourage Arrest, U.S. Department of Justice. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Mansfield asked if there are any details on the intensive probation programs outlined in Proposal No. 163, 2004. Councillor Moriarty Adams said that this is a juvenile diversion program to keep kids from going to the Department of Correction, which is monitored through electronic devices for 90 days or more.

Councillor Gray asked what communities were chosen for the Weed-N-Seed dollars in Proposal No. 157, 2004. Councillor Moriarty Adams said that Near Eastside Community Organization, United Northwest Area, Mid North Crown Hill Association, Southeast Umbrella Organization, Coalition of Northeast Neighborhoods, and West Side Community Organization are just a few. Councillor Gray asked for a list to be sent to him. Councillor Moriarty Adams agreed to do so.

April 12, 2004

President Boyd called for public testimony at 8:22 p.m.

Rev. Pinkney said that she never received any answers to her questions about how these program benefit youth. She said that children are taken from their parents daily, and schools are closed, yet the City is putting children into bondage instead of rehabilitation. Instead of rehabilitating youth, crime and incarceration continue to increase. Councillor Moriarty Adams said that she will ask the agency directors to respond to Rev. Pinkney's questions.

Katherine Barton, citizen, said that furniture and expansion of programs do not tell the people much about the real reason for the proposals.

Councillor Bowes said that he commends Judge Mark Stoner on the very creative community work service program provided for in Proposal No. 166, 2004.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal Nos. 157, 161, 163, 165, 166, and 168, 2004 were adopted on the following roll call vote; viz:

28 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
0 NAYS:  
1 ABSENT: *Langsford*

Proposal No. 157, 2004 was retitled FISCAL ORDINANCE NO. 38, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional One Million Seventy-two Thousand One Hundred and Eighty Seven Dollars (\$1,072,187) in the Federal Grants and Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Federal Grants and Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, to continue domestic violence, weed and seed, and Police Athletic League (PAL) programs, as well as fund overtime projects within the Project Safe Neighborhood, New Approach Anti-Drug Initiative, Creating Cultures of Integrity, and Project ACE from the Indiana Department of Health, financed by federal grants.

SECTION 2. The sum of One Million Seventy-two Thousand One Hundred and Eighty Seven Dollars (\$1,072,187) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
- TOTAL INCREASE

FEDERAL GRANTS FUND

115,510  
19,588  
742,559  
110,141  
987,798

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

1. Personal Services  
2. Supplies  
TOTAL INCREASE

NON-LAPSING FEDERAL GRANTS FUND

84,000  
389  
84,389

SECTION 4. The said additional appropriation is funded by the following reductions:

FEDERAL GRANTS FUND

Unappropriated and Unencumbered  
Federal Grants Fund  
TOTAL REDUCTION

987,798  
987,798

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered  
Non-Lapsing Federal Grants Fund  
TOTAL REDUCTION

84,389  
84,389

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. The non-lapsing appropriations included in this ordinance shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

Proposal No. 161, 2004 was retitled FISCAL ORDINANCE NO. 39, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) appropriating an additional Ten Thousand One Hundred Eighty-nine Dollars (\$10,189) in the Guardian Ad Litem Fund for purposes of the Marion Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Guardian Ad Litem Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated to appropriate funds to cover payment for 2004.

SECTION 2. The sum of Ten Thousand One Hundred Eighty-nine Dollars (\$10,189) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

MARION SUPERIOR COURT, JUVENILE DIVISION

3. Other Services and Charges  
TOTAL INCREASE

GUARDIAN AD LITEM FUND

10,189  
10,189

SECTION 4. The said additional appropriation is funded by the following reductions:

GUARDIAN AD LITEM FUND

Unappropriated and Unencumbered  
Guardian Ad Litem  
TOTAL REDUCTION

10,189  
10,189

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.



April 12, 2004

Proposal No. 163, 2004 was retitled FISCAL ORDINANCE NO. 40, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) appropriating an additional Forty-four Thousand Dollars (\$44,000) in the Juvenile Probation Fund for purposes of the Marion Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the Juvenile Probation Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated to appropriate funds for intensive probation programs.

SECTION 2. The sum of Forty-four Thousand Dollars (\$44,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>JUVENILE PROBATION FUND</u>
<u>JUVENILE DIVISION</u>	
1. Personal Services	18,000
Fringes	26,000
TOTAL INCREASE	44,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>JUVENILE PROBATION FUND</u>
Unappropriated and Unencumbered	
Juvenile Probation Fund	44,000
TOTAL REDUCTION	44,000

SECTION 5. The projected December 31, 2004, fund balance for the Juvenile Probation Fund is as follows:

Current cash balance 01-01-04	110,679
Anticipated additional revenue through December 31, 2004	135,455
Projected funds available	246,134
Remaining appropriations and encumbrances	180,000
Proposed additional appropriation	44,000
Funds required	224,000
Projected fund balance December 31, 2004	22,134

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 165, 2004 was retitled FISCAL ORDINANCE NO. 41, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) appropriating an additional One Hundred Seven Thousand Six Hundred Dollars (\$107,600) in the Alternative Dispute Resolution Fund for purposes of the Marion Superior Court and reducing the unappropriated and unencumbered balance in the Alternative Dispute Resolution Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated to set up a budget for the new fund established by State Legislature to provide modest means mediation for domestic relations cases.

SECTION 2. The sum of One Hundred Seven Thousand Six Hundred Dollars (\$107,600) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4. (Actual expense from this fund will be limited to available fund balance.)

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>ALTERNATIVE DISPUTE RESOLUTION FUND</u>
1. Personal Services	12,000
2. Supplies	500
3. Other Services and Charges	<u>95,100</u>
TOTAL INCREASE	107,600

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>ALTERNATIVE DISPUTE RESOLUTION FUND</u>
Unappropriated and Unencumbered	
Alternative Dispute Resolution	<u>107,600</u>
TOTAL REDUCTION	107,600

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 166, 2004 was retitled FISCAL ORDINANCE NO. 42, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 42, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional One Hundred Thirty-six Thousand Six Hundred Ten Dollars (\$136,610) in the Adult Probation Fund for purposes of the Marion Superior Court and reducing the unappropriated and unencumbered balance in the Adult Probation Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of ergonomically correct furniture for Probation Officer and expansion of the Community Service Worker Program.

SECTION 2. The sum of One Hundred Thirty-six Thousand Six Hundred Ten Dollars (\$136,610) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>ADULT PROBATION FUND</u>
2. Supplies	76,000
3. Other Services and Charges	8,610
4. Capital Outlay	<u>52,000</u>
TOTAL INCREASE	136,610

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>ADULT PROBATION FUND</u>
Unappropriated and Unencumbered	
Adult Probation Fund	<u>136,610</u>
TOTAL REDUCTION	136,610

April 12, 2004

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 168, 2004 was retitled FISCAL ORDINANCE NO. 43, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 43, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional One Hundred Forty-nine Thousand Three Hundred Seventy-nine Dollars (\$149,379) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to employ a Domestic Violence prosecutor to specialize in stalking, enhance evidence collection and implement vertical prosecution.

SECTION 2. The sum of One Hundred Forty-nine Thousand Three Hundred Seventy-nine Dollars (\$149,379) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	123,600
Fringes	<u>25,779</u>
TOTAL INCREASE	149,379

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>149,379</u>
TOTAL REDUCTION	149,379

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 159, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$60,877 in the 2004 budget of the Marion County Justice Agency (Conditional Release Fund) for the Evaluation of the Arrestee Processing Center Project. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:27 p.m.

Rev. Pinkney said that she still has received no answers to her questions, and wants to know what is being done to restore and rehabilitate people rather than arrest them. Councillor Moriarty

Adams stated that Councillor Franklin addressed these questions in committee, but she will ask the agency head to respond.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Borst, for adoption. Proposal No. 159, 2004 was adopted on the following roll call vote; viz:

20 YEAS: Borst, Bowes, Boyd, Bradford, Cain, Conley, Day, Gibson, Gray, Keller, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Schneider, Speedy  
8 NAYS: Abdullah, Brown, Cockrum, Franklin, Mansfield, Plowman, Sanders, Talley  
1 ABSENT: Langsford

Proposal No. 159, 2004 was retitled FISCAL ORDINANCE NO. 44, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 44, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Sixty Thousand Eight Hundred Seventy-seven Dollars (\$60,877) in the Conditional Release Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Conditional Release Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(d) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency for the Evaluation of the Arrestee Processing Center Project.

SECTION 2. The sum of Sixty Thousand Eight Hundred Seventy-seven Dollars (\$60,877) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>CONDITIONAL RELEASE FUND</u>
3. Other Services and Charges	<u>60,877</u>
TOTAL INCREASE	60,877

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CONDITIONAL RELEASE FUND</u>
Unappropriated and Unencumbered	
Conditional Release Fund	<u>60,877</u>
TOTAL REDUCTION	60,877

SECTION 5. The projected December 31, 2004, fund balance for the Conditional Release Fund is as follows:

Current cash balance 02-31-04	573,048
Anticipated additional revenue through December 31, 2004	<u>104,587</u>
Projected funds available	677,635
Remaining appropriations and encumbrances	173,560
Proposed additional appropriation	<u>60,877</u>
Funds required	234,437
Projected fund balance December 31, 2004	443,198

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

April 12, 2004

PROPOSAL NO. 164, 2004. The proposal, sponsored by Councillor McWhirter, approves an increase of \$10,863 in the 2004 Budget of Marion Superior Court, Juvenile Division (County Grants Fund) for volunteer services, supplies for the garden project, supplies for programs (Kids Can and Restitution Work Program) and conference expense sponsored by Marion County Superior Court and Office of Family and Children, funded by grants from Lilly Endowment, Alliance with Indiana, Hoosier Lottery, Indianapolis Foundation, and Captain Planet Foundation. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider said that he would like to have a breakdown of the conference expenses referred to in this proposal. Councillor Moriarty Adams said that this is a \$7,500 expense for the "Putting the Pieces Together" Conference for the Marion County Office of Family and Children, funded by Lilly Endowment.

President Boyd called for public testimony at 8:32 p.m.

Rev. Pinkney asked where the faith-based community is in this equation. Councillor Bowes stated that these are sources of funding, not recipients, and any faith-based organization would be encouraged to give additional funding.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal No. 164, 2004 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Speedy, Talley*  
*2 NAYS: Bradford, Schneider*  
*1 ABSENT: Langsford*

Proposal No. 164, 2004 was retitled FISCAL ORDINANCE NO. 45, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 45, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Ten Thousand Eight Hundred Sixty-three Dollars (\$10,863) in the County Grants Fund for purposes of Marion Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the County Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court, Juvenile Division, for volunteer services, supplies for the garden project, supplies for programs (Kids Can and Restitution Work Program), and conference expense.

SECTION 2. The sum of Ten Thousand Eight Hundred Sixty-three Dollars (\$10,863) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

MARION SUPERIOR COURT  
JUVENILE DIVISION

COUNTY GRANTS FUND

2. Supplies	3,263
3. Other Services and Charges	<u>7,600</u>
TOTAL INCREASE	10,863

SECTION 4. The said additional appropriation is funded by the following reductions:

COUNTY GRANTS FUND

Unappropriated and Unencumbered	
County Grants Fund	<u>10,863</u>
TOTAL REDUCTION	10,863

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 167, 2004. The proposal, sponsored by Councillor Borst, approves an increase of \$1,550 in the 2004 budget of the Marion Superior Court (County Grants Fund) appropriating a grant to pay for security services at Community Court in a Conflict Resolution Initiative, funded by a grant from Southeast Umbrella Organization. Councillor Moriarty Adams moved, seconded by Councillor Talley, to return Proposal No. 167, 2004 to committee. The proposal was returned to committee by a unanimous voice vote.

**SPECIAL ORDERS - UNFINISHED BUSINESS**

Councillor Sanders said that it has been called to her attention that the motion to withdraw Proposal No. 230, 2004 (Rezoning Petition No. 2004-ZON-001) was not sufficient, and it must be called out for public hearing.

Councillor Bradford asked whose district the project is located in. Councillor Moriarty Adams said that it is in her district and she supports the public hearing.

Councillor Sanders made the following motion:

Mr. President:

I move that Proposal No. 230, 2004 (Rezoning Case 2004-ZON-001) be scheduled for a hearing before this Council at its next regular meeting on April 26, 2004 at 7:00 p.m. and that the General Counsel read the announcement of such hearing and enter the same in the minutes of this meeting.

Councillors Talley and Moriarty Adams seconded the motion, and Proposal No. 230, 2004 was scheduled for public hearing on the following roll call vote; viz:

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27 YEAS: *Abduallah, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

1 NOT VOTING: *Borst*

1 ABSENT: *Langsford*

Proposal No. 230, 2004 was scheduled for public hearing on Monday, April 26, 2004, and is identified as follows:

2004-ZON-001

5301 MASSACHUSETTS AVENUE (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #17

IFCO TRANSPORT, INCORPORATED, by David Kingen, requests a rezoning of 7.02 acres, being in the I-2-U (FF) (FW) District, to the I-3-U (FF) (FW) classification to provide for industrial uses.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 156, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 156, 2004 on March 29, 2004. The proposal, sponsored by Councillors Nytes and Speedy, approves a transfer of \$214,000 in the 2004 Budget of the Department of Metropolitan Development (Federal Grants and City Cumulative Capital Improvement Fund) to replace the drawbridge at the Canal and to acquire properties and complete construction activities at the Keystone Enterprise Park. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Abduallah asked what will happen to the two families displaced. Councillor Talley said that the sale of these homes has been completed and the parties are satisfied and are being relocated.

Councillor Nytes moved, seconded by Councillor Speedy, for adoption. Proposal No. 156, 2004 was adopted on the following roll call vote; viz:

28 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

1 ABSENT: *Langsford*

Proposal No. 156, 2004 was retitled FISCAL ORDINANCE NO. 46, 2004, and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 46, 2004**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) transferring and appropriating an additional Two Hundred and Fourteen Thousand Dollars (\$214,000) in the Federal Grants and City Cumulative Capital Improvement Funds for purposes of the Department of Metropolitan Development, Administration and Community Development Division, and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(I) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development to

replace the drawbridge at the Canal and to acquire properties and complete construction activities at the Keystone Enterprise Park, financed by a transfer between characters.

SECTION 2. The sum of Two Hundred and Fourteen Thousand Dollars (\$214,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	
<u>COMMUNITY DEVELOPMENT DIVISION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>200,000</u>
TOTAL INCREASE	200,000

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>CITY CUMULATIVE</u>
<u>ADMINISTRATION DIVISION</u>	<u>CAPITAL IMPROVEMENT FUND</u>
4. Capital Outlay	<u>14,000</u>
TOTAL INCREASE	14,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	
<u>COMMUNITY DEVELOPMENT DIVISION</u>	<u>FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>200,000</u>
TOTAL DECREASE	200,000

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>CITY CUMULATIVE</u>
<u>ADMINISTRATION DIVISION</u>	<u>CAPITAL IMPROVEMENT FUND</u>
3. Other Services and Charges	<u>14,000</u>
TOTAL DECREASE	14,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 158, 160, 162, 169, and 170, 2004 on March 24, 2004. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 158, 2004. The proposal, sponsored by Councillors Moriarty Adams and Talley, approves a transfer of \$2,455 in the 2004 Budget of the Marion County Sheriff (County Grants Fund) to pay for unexpected expenses. PROPOSAL NO. 160, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$202,904 in the 2004 Budget of the Marion County Justice Agency (Drug Free Community Fund) to transfer funds to support salaries for the Public Defender Agency, Marion Superior Court, Prosecutor, and Justice Agency, per grant awards. PROPOSAL NO. 162, 2004. The proposal, sponsored by Councillor McWhirter, approves a transfer of \$22,242 in the 2004 budget of the Marion Superior Court, Juvenile Division, and Marion County Auditor (State and Federal Grants Fund) to transfer money between characters to pay unexpected expenses for Juvenile Accountability Block Grants. PROPOSAL NO. 169, 2004. The proposal, sponsored by Councillor McWhirter, approves a transfer of \$2,228 in the 2004 Budget of the Marion County Prosecutor and Marion County Auditor (State and Federal Grants Fund) to correct Fiscal Ordinance No. 9, 2004, funded by a previous grant, Office of Justice Programs, Bureau of Justice Assistance. PROPOSAL NO. 170, 2004. The proposal, sponsored by Councillor McWhirter, approves a transfer of \$7,680 in the 2004 Budget of the Marion County Prosecutor and Marion County Auditor (State and Federal



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Grants Fund) to replace Fiscal Ordinance No. 8, 2004, funded by a previous grant, Encourage Arrests, from U.S. Department of Justice. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal Nos. 158, 160, 162, 169, and 170, 2004 were adopted on the following roll call vote; viz:

28 YEAS: *Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
0 NAYS:  
1 ABSENT: *Langsford*

Proposal No. 158, 2004 was retitled FISCAL ORDINANCE NO. 47, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114 2003) transferring and appropriating an additional Two Thousand Four Hundred Fifty-five Dollars (\$2,455) in the County Grants Fund for purposes of the Marion County Sheriff's Department and Marion County Auditor and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1. (b) Of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Sheriff's Department and Marion County Auditor to transfer between characters to pay unexpected expenses incurred.

SECTION 2. The sum of Two Thousand Four Hundred Fifty-five Dollars (\$2,455) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY SHERIFF</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	<u>2,455</u>
TOTAL INCREASE	2,455

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY AUDITOR</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services-fringes	<u>2,455</u>
TOTAL DECREASE	2,455

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 160, 2004 was retitled FISCAL ORDINANCE NO. 48, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) transferring and appropriating an additional Two Hundred Two Thousand Nine Hundred Four Dollars (\$202,904) in the Drug Free Community Fund for purposes of the Marion County Justice Agency and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(d) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Justice Agency to

transfer funds to support salaries for the Public Defender Agency, Marion Superior Court, Prosecutor, and Justice Agency, per grant awards.

SECTION 2. The sum of an additional Two Hundred Two Thousand Nine Hundred Four Dollars (\$202,904) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	174,828
Fringes	24,346
2. Materials and Supplies	<u>3,730</u>
TOTAL INCREASE	202,904

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
3. Other Services and Charges	<u>202,904</u>
TOTAL DECREASE	202,904

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 162, 2004 was retitled FISCAL ORDINANCE NO. 49, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) transferring and appropriating an additional Twenty-two Thousand Two Hundred Forty -two Dollars (\$22,242) in the State and Federal Grants Fund for purposes of the Marion Superior Court, Juvenile Division, and Marion County Auditor and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(f) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court, Juvenile Division, and Marion County Auditor to transfer money between characters to pay unexpected expenses.

SECTION 2. The sum of additional Twenty-two Thousand Two Hundred Forty -two Dollars (\$22,242) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT JUVENILE DIVISION</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	12,126
3. Other Services and Charges	<u>10,116</u>
TOTAL INCREASE	22,242

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION SUPERIOR COURT JUVENILE DIVISION</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	27
2. Supplies	9,351
4. Capital Outlay	364
 <u>COUNTY AUDITOR</u>	
1. Personal Service-fringes	<u>12,500</u>
TOTAL DECREASE	22,242

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SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 169, 2004 was retitled FISCAL ORDINANCE NO. 50, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) transferring and appropriating an additional Two Thousand Two Hundred Twenty-Eight Dollars (\$2,228) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and Marion County Auditor reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby, amended by he increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to correct transfer of Fiscal Ordinance No. 9, 2004.

SECTION 2. The sum of additional Two Thousand Two Hundred Twenty-eight Dollars (\$2,228) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	<u>2,228</u>
TOTAL INCREASE	2,228

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	<u>2,228</u>
TOTAL DECREASE	2,228

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 170, 2004 was retitled FISCAL ORDINANCE NO. 51, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 51, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) transferring and appropriating an additional Seven Thousand Six Hundred Eighty Dollars (\$7,680) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and Marion County Auditor reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby, amended by he increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to correct Fiscal Ordinance No. 8, 2004.

SECTION 2. The sum of an additional Seven Thousand Six Hundred Eighty Dollars (\$7,680) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	4,051
4. Capital Outlay	<u>3,629</u>
TOTAL INCREASE	7,680

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	4,051
<u>MARION COUNTY PROSECUTOR</u>	
3. Other Services and Charges	<u>3,629</u>
TOTAL DECREASE	7,680

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 171, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 171, 2004 on March 23, 2004. The proposal, sponsored by Councillors Speedy and Talley, approves the Installment Tax Payment Plan for certain real estate taxes. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Bradford said that this proposal is a no-brainer and should have been approved last month without the delay in going to committee, as its counterpart did last year.

Councillor Speedy thanked Greg Jordan, County Treasurer, and Monty Combs, Deputy Treasurer, for continuing to address the effects of reassessment in order to help citizens. He said that it is regrettable that the vote was delayed, and the impact diminished, especially as to the legal interpretations as to whether passage this evening will actually accomplish the goal.

President Boyd said that he had intended not to comment, but felt he must respond. He said that the Department of Local Government and Finance (DLGF) has assured the Council that the action taken this evening will suffice, and the leadership of the Council took steps to insure that the delay would not diminish the legality of the proposal.

Councillor Nytes said that tax bills are very difficult to understand and there is no explanation of this plan or marketing given to the general public. By going through the entire committee public hearing process, attention is being called to the existence of the program, and hopefully more than 84 people will take advantage of it this year.

Councillor Nytes moved, seconded by Councillor Talley, for adoption. Proposal No. 171, 2004, as amended, was adopted on the following roll call vote; viz:

28 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
0 NAYS:  
1 ABSENT: *Langsford*

Proposal No. 171, 2004 was retitled SPECIAL RESOLUTION NO. 11, 2004, and reads as follows:

*April 12, 2004*

CITY-COUNTY SPECIAL RESOLUTION NO. 11, 2004

A SPECIAL RESOLUTION approving the Installment Tax Payment Plan for certain real estate taxes.

WHEREAS, I.C. 6-1.1-22-9.5 authorizes the County Treasurer, with the approval of the County Auditor, and the City-County Council to petition the Indiana Department of Local Government Finance to approve a schedule of installment payments of real property taxes for certain real estate parcels with a Homestead Credit; and

WHEREAS, the County Treasurer has developed an Installment Tax Payment Agreement to allow eligible taxpayers to pay their real-property taxes in more than the two (2) installments authorized by I.C. 6-1.1-22-9(a); and

WHEREAS, a copy of this proposed Installment Tax Payment Agreement and Petition to the DLGF is attached, and taxpayers would have to meet all of criteria 1-4 listed on the petition to be submitted to the Indiana Department of Local Government Finance for taxes first due and payable in 2004; and

WHEREAS, taxpayers must meet at least one of criteria A-E listed on the petition to be submitted to the Indiana Department of Local Government Finance for taxes first due and payable in 2004; and

WHEREAS, the County Treasurer will require eligible taxpayers to sign an Installment Tax Payment Agreement for taxes first due and payable in 2004; and

WHEREAS, the County Treasurer, having the County Auditor's approval, respectfully requests that the City-County Council approve and recommend a petition to the Indiana Department of Local Government Finance to approve the proposed Installment Tax Payment Agreement; now therefore,

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The County Council approves and recommends the Installment Tax Payment Agreement established by the County Auditor and the County Treasurer.

SECTION 2. The County Council joins the County Auditor and the County Treasurer in requesting that the Department of Local Government Finance approve the proposed Installment Tax Payment Agreement.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 173, 2004. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 173, 2004 on March 23, 2004. The proposal, sponsored by Councillors Sanders, Gibson, Nytes, Mahern, and McWhirter, authorizes the office of corporation counsel to provide legal representation to any municipal corporations of the city upon consent of the mayor and the municipal corporation. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst made the following motion:

Mr. President:

I move to amend Section 1 of Proposal No. 173, 2004 by deleting the words "of the consolidated city" in clause (10) of Sec. 202-103 and inserting in lieu thereof the words " , whose budgets are subject to review by the City-County Council ,".

Councillor Talley seconded the motion. Proposal No. 173, 2004 was amended by a unanimous voice vote.

Councillor Abdullallah recommended that Corporation Counsel appear before the Administration and Finance Committee for regular reports.

Councillor Mahern said that he is glad to see the City looking at ways to help serve the citizens in the area of public transportation.

Councillor Bradford asked if Health and Hospital Corporation has asked to take advantage of this opportunity. Councillor Gibson said that they have not asked for help, but the Committee will hear from them in May, and they could explore this option. Councillor Bradford asked if the Office of Corporation Counsel could handle the added workload. Scott Chinn, Corporation Counsel, said that it would not be practical with current staffing, but could help in any way that was feasible and easily accommodate and would be willing to listen to any corporation's cause.

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 173, 2004 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*1 NAYS: Borst*  
*1 ABSENT: Langsford*

Proposal No. 173, 2004 was retitled GENERAL ORDINANCE NO. 11, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 2004

A PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to authorize the office of corporation counsel to provide legal representation to any municipal corporations of the city upon consent of the mayor and the municipal corporation.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 202-103 of the "Revised Code of the Consolidated City and County," regarding the powers of the office of corporation counsel, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

**Sec. 202-103. Powers of office of corporation counsel.**

The office of corporation counsel shall:

- (1) Furnish all legal services to the mayor, the city-county council (except those services provided pursuant to council rules by the council's general counsel and assistant attorney as specified in chapter 151 of this Code), all departments and divisions of the city and all county officials (except those services provided to judicial offices and the prosecuting attorney by the Indiana Attorney General pursuant to IC 33-2.1-9-1) and agencies;
- (2) Prepare ordinances for introduction before the city-county council and prepare legislative proposals to be introduced in the general assembly;
- (3) Prepare leases, deeds, contracts and other legal documents;
- (4) Institute legal action for the purpose of enforcing the ordinances of the city and county;
- (5) Employ the services of outside legal counsel when in the best interests of the city with the approval of the mayor;
- (6) Furnish legal advice and opinions when such legal advice or opinion is requested by persons entitled to representation by the office of corporation counsel;

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(7) Compromise litigation and effect settlement of impending litigation affecting the city with the approval of the mayor;

(8) Enter an appearance as attorney for and represent and defend the city, the mayor, the members of the city-county council, all departments and divisions of the city, county agencies, all officers, agents and employees thereof in all causes of action wherein they are parties by reason of their official capacity and to conduct all appellate litigation arising therefrom or timely advise any such officer or agency if such representation is declined and the reasons therefor;

(9) Contract with independent counsel to represent and defend officers or agencies entitled to defense by the city or county when representation is declined by the corporation counsel for reason of conflicts of interest, if such officer or agency requests the same; ~~and~~

(10) Provide legal representation to any municipal corporations whose budgets are subject to review by the City-County Council when both the municipal corporation and the mayor consent to such representations; and

(11) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 174-179, 2004 on March 18, 2004. He asked for consent to vote on Proposal Nos. 174-178, 2004 together. Consent was given.

PROPOSAL NO. 174, 2004. The proposal, sponsored by Councillor Abdullah, authorizes the Department of Public Works to implement a parking meter blockout for the area bounded by St. Clair Street, South Street, East Street, and West Street on May 28, 2004 to encourage veterans and citizens to observe the 500 Festival Memorial Service on Monument Circle. PROPOSAL NO. 175, 2004. The proposal, sponsored by Councillors Gray and Abdullah, authorizes parking restrictions on Riverside Drive from 29th Street to 30th Street. PROPOSAL NO. 176, 2004. The proposal, sponsored by Councillor Abdullah, authorizes parking restrictions on Cleveland Street between Ohio Street and Michigan Street. PROPOSAL NO. 177, 2004. The proposal, sponsored by Councillors Abdullah and Mahern, authorizes a change in parking meters on Washington Street from Senate Avenue to Capitol Avenue to accommodate a new taxi zone. PROPOSAL NO. 178, 2004. The proposal, sponsored by Councillors Abdullah and Mahern, authorizes parking restrictions on Washington Street between Delaware Street and Alabama Street. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor McWhirter asked why a new taxi zone is needed in Proposal No. 177, 2004. Jim Garrard, director of the Department of Public Works, stated that three spaces were lost on the south side of the hotel due to parking meters being installed, and this simply gives the hotel space back on the other side.

Councillor Conley moved, seconded by Councillor Mahern, for adoption. Proposal Nos. 174-178, 2004 were adopted on the following roll call vote; viz:

*27 YEAS: Abdullallah, Borst, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

*0 NAYS:*

*1 NOT VOTING: Bowes*

*1 ABSENT: Langsford*

Proposal No. 174, 2004 was retitled GENERAL RESOLUTION NO. 4, 2004, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 2004

A PROPOSAL FOR A GENERAL RESOLUTION to request a parking meter blackout on May 28, 2004, to encourage veterans and citizens to observe the 500 Festival Memorial Service on Monument Circle.

WHEREAS, Memorial Day began as Decoration Day where those who perished during the Civil War were remembered and their graves decorated; and

WHEREAS, later, veterans who gave the supreme sacrifice to preserve freedom in all of America's wars were honored on Memorial Day, a patriotic day which in 1971 became a national holiday; and

WHEREAS, Memorial Day weekend is a special time in Indianapolis with thousands of visitors and exciting events; and

WHEREAS, remembering the bedrock reason for the holiday, the 500 Festival Memorial Service will be held on Monument Circle in downtown Indianapolis on Friday, May 28, 2004 where appropriate homage will be accorded in a public memorial ceremony to these American patriots who gave their lives for our liberties; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council, recognizing the importance of Memorial Day weekend in Indianapolis for local residents, visitors and for its international attention, requests that the Department of Public Works issue a one-day blackout of downtown Indianapolis' parking meters on May 28, 2004, as a token of the City's thanks and gratitude for those patriots who fought and died to keep America free.

SECTION 2. The Department of Public Works shall issue and implement a one-day blackout of downtown Indianapolis' parking meters on May 28, 2004 for the area bounded by St. Clair Street, South Street, East Street, and West Street.

SECTION 3. This resolution shall be in effect upon adoption and compliance with Ind. Code § 36-3-4-14.

Proposal No. 175, 2004 was retitled GENERAL ORDINANCE NO. 12, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:



April 12, 2004

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the deletion of the following, to wit:

*Riverside Drive, on the east side, from  
29<sup>th</sup> Street to a point 270 feet north of 29<sup>th</sup> Street*

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

*Riverside Drive, on the east side, from  
29<sup>th</sup> Street to 30<sup>th</sup> Street*

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 176, 2004 was retitled GENERAL ORDINANCE NO. 13, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

*Cleveland Street, on the east side, from  
Ohio Street to Allegheny Street*

*Cleveland Street, on the west side, from  
Ohio Street to a point 161 feet south of Vermont Street*

*Cleveland Street, on the west side, from  
A point 51 feet south of Vermont Street to Allegheny Street*

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 177, 2004 was retitled GENERAL ORDINANCE NO. 14, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-202, Parking meter zones designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

**2 HOUR METERS**

*Washington Street, on the south side, from  
Alabama Street to a point 234 feet west of Capitol Avenue*

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

**2 HOUR METERS**

*Washington Street, on the south side, from  
Alabama Street to a point 173 feet west of Capitol Avenue*

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 178, 2004 was retitled GENERAL ORDINANCE NO. 15, 2004, and reads as follows:

**CITY-COUNTY GENERAL ORDINANCE NO. 15, 2004**

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours; Sec. 621-202, Parking meter zones designated; and Sec. 621-120, Special parking privileges for certain persons or vehicles in certain locations.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the deletion of the following, to wit:

**ON ANY DAY EXCEPT  
SATURDAY AND SUNDAYS  
FROM 6:00 A.M. TO 9:00 A.M.**

*Washington Street, on the north side, from  
Pennsylvania Street to East Street*

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

**2 HOURS**

*Washington Street, on the north side, from  
East Street to a point 215 feet west of Alabama Street*

*Washington Street, on the south side, from  
Alabama Street to a point 234 feet west of Capitol Avenue*

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-125, Stopping, standing and parking prohibited at designated locations on certain days and hours, be and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT  
SATURDAY AND SUNDAYS  
FROM 6:00 A.M. TO 9:00 A.M.**

*Washington Street, on the north side, from  
East Street to Alabama Street*

SECTION 4. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-120, Special parking privileges for certain persons or vehicles in certain locations, be and the same is hereby amended by the addition of the following, to wit:

(a) Notwithstanding any prohibitions or restrictions elsewhere in this chapter upon parking or temporary stops applicable to the general public, the following persons or vehicles are hereby granted the special parking privileges set out in this section, at and within the locations designated:

April 12, 2004

(1) Any vehicles, so marked, of the city police department, the county sheriff, the state police and the United States Marshal, and no others, may park at any time, from 6:00 a.m. to 6:00 p.m., in the following locations:

*Washington Street, on the north side, from  
Delaware Street to a point 146 feet east of Delaware Street*

*Washington Street, on the north side, from  
A point 238 feet east of Delaware Street to Alabama Street*

*Washington Street, on the south side, from  
A point 246 feet east of Delaware Street to Alabama Street*

SECTION 5. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

2 HOURS

*Washington Street, on the north side, from  
East Street to Alabama Street*

*Washington Street, on the south side, from  
A point 224 feet east of Delaware Street  
To a point 173 feet west of Capitol Avenue*

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 179, 2004. The proposal, sponsored by Councillor Plowman, authorizes a 20 mph speed limit on Timber Lake Boulevard and Timber Lake Way. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken.

Councillor Plowman stated that he was not able to attend the committee hearing and he would like to be in attendance to explain the reasons for the proposal. He moved, seconded by Councillor Conley, to return Proposal No. 179, 2004 to the Public Works Committee. Proposal No. 179, 2004 was returned to committee by a unanimous voice vote.

## **NEW BUSINESS**

Aaron Haith, General Counsel, read the following:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 2004-ZON-001, Council Proposal No. 230, 2004, at its next regular meeting on April 26, 2004, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 7.02 acres at 5301 Massachusetts Avenue from I-2-U District to I-3-U classification to provide for industrial uses.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

## **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Randolph in memory of Darest Hall and Judge William Mercuri; and
- (2) Councillor Talley in memory of Darren Carr.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Darest Hall, Judge William Mercuri, and Darren Carr. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:19 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 12th day of April, 2004.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)